

REMARKS

This response is being filed in reply to the Final Office Action mailed August 9 2006. In that Office Action, claims 1 and 3-25 were rejected on prior art grounds. Claims 1-25 have now been cancelled. Claims 26-41 have been added. Accordingly, claims 26-41 are pending in the application. No new matter has been added or claimed, and each of the new claims is properly supported by the disclosure of the application as originally filed.

Claim 26 recites a method for determining a time zone based date and time of a vehicle from a time zone reference signal in which:

- (1) a CDMA signal is received at a telematics device including a CDMA time correction,
- (2) a local UTC correction is determined from the CDMA signal,
- (3) the local UTC correction is stored, and
- (4) local time is calculated from the stored local UTC correction and the UTC time.

Claim 38 recites a method for determining a time zone based date and time of a vehicle from a time zone reference signal in which:

- (1) a UTC time is received from a GPS signal and a CDMA time correction is received from a wireless CDMA carrier system,
- (2) a local UTC correction is determined from the CDMA time correction,
- (3) the local UTC correction is stored, and
- (4) local time is calculated by applying the stored local UTC correction to the UTC time.

Prior Claim Rejections

Claims 1-25 have been cancelled so rejection of those claims is moot. The cancellation of these claims is without disclaimer of the subject matter thereof and without prejudice to Applicants' right to later pursue the subject matter of those claims in this or another application.

With regard to the new claims, the prior art relied upon by the Examiner does not disclose or render obvious the subject matter of independent claims 26 and 38. In Brunts (US Pat. No. 5,724,316), a navigation system receives GPS signals containing position and time related information.¹ Brunts uses the position signals to check the current time zone. An internal clock is updated to the current time for the current time zone and position.² Brunts does not show receiving a CDMA signal. See paragraph 18 of the Office Action mailed August 9, 2006.³ Brunts also does not teach or suggest “determining a local UTC correction from the CDMA signal” or “calculating local time from the stored local UTC correction and the UTC time,” both steps of which are recited in claim 26. As to claim 38, Brunts does not show or suggest the use of both GPS and CDMA signals to determine a local time.

In the last Office Action, the Examiner combined the teachings of Brunts with those of Lynch (US Pat. No. 6,963,588). In Lynch, a system and method are described for setting a clock using a CDMA mobile station in communication with a CDMA base station. The base station constantly transmits local time as part of a Sync Channel Message. The base station is configured to extract the local time from the message and provide the local time for updating a clock.⁴ The cited references in Lynch et al. do not teach or suggest “receiving a CDMA signal at a telematics device” which includes a CDMA time correction, “determining a local UTC time correction from the CDMA signal,” and “calculating local time from the stored local UTC correction and the UTC time.” Furthermore, as recited in claims 27 and 38 Lynch does not disclose or suggest using both a GPS signal and CDMA time correction for local time calculation.

Furthermore, it is the Applicant’s position that there is no motivation or suggestion for combining the teachings of Bruntz with those of Lynch et al. in the manner suggested by the Examiner, as required by MPEP §2143.01. The Examiner stated that the motivation to combine “would be to provide a backup for when a GPS signal is

¹ Brunts, U.S. Pat. No. 5,724,316, col. 2 lns. 46-48.

² Brunts at col. 2 lns. 53-60.

³ Office Action date August 9, 2006, p.7, lns. 6-8.

⁴ Lynch et al., U.S. Pat. No. 6,963,588, Abstract.

intermittent or not available and when a CDMA signal is.”⁵ Although that motivation may exist, there has been no showing that adding Lynch's system as a backup would result in a system that uses both UTC and CDMA time correction information to calculate local time as stated in the claims. Rather, there systems are independent. Bruntz teaches that local time can be calculated from the GPS signal without the need for a CDMA timing signal.⁶ Lynch et al. teaches that local time is provided in a CDMA signal.⁷ The Examiner has not shown a teaching or motivation as to why one would calculate local time using a combination of information from both the GPS signals in Bruntz and the CDMA timing signals in Lynch et al., especially when each reference teaches that the local time is available using only its associated single source.

Conclusion

In view of the foregoing, Applicants respectfully submit that claims 26-41 are allowable over the prior art. Reconsideration is therefore requested. The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0960 for a two-month extension of time and any other required fees or to credit that same deposit account with any overpayment associated with this communication.

Respectfully submitted,

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⁵ Office Action at p. 7 lns. 22-23.

⁶ Bruntz at col. 2 lns. 46-57.

⁷ Lynch et al. at Abstract lns. 4-6.